

PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF FEBRUARY 1, 2005.

ATTENDANCE

COUNCIL: Randy Menard – Chair (District 9), Bobby Badeaux (District 1), Dale Bourgeois (District 2), Louis C. Benjamin, Jr. (District 4), Lenwood Broussard (District 5), Bruce Conque (District 6), Marc Mouton (District 7), Rob Stevenson – Vice Chair (District 8)

ABSENT: Christopher J. Williams, Ph.D. (District 3)

COUNCIL STAFF: Norma Dugas (Clerk of the Council), Veronica Williams (Assistant Clerk) and Anne Patin (Senior Administrative Assistant)

ADMINISTRATIVE STAFF: L. J. Durel, Jr. (City-Parish President), Dee Stanley (CAO), Becky Lalumia (Associate CAO/Finance Management), Gail Smith (Director of Administrative Services), Chief Robert Benoit (Fire Department), Eleanor Bouy (Director of Planning, Zoning and Codes), Terry Huval (Utilities Director), Pat Ottinger (Legal Counsel)

COMMENCEMENT

(TAPE 1)(SIDE A)(056) AGENDA ITEM NO. 1: Call to order.

Councilmember Randy Menard called the Regular Council Meeting of February 1, 2005 to order. He announced that Councilmember Williams was out of town on business.

(TAPE 1)(SIDE A)(057) AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

Councilmember Bruce Conque was called upon to deliver the invocation and lead the Pledge of Allegiance.

(TAPE 1)(SIDE A)(085) AGENDA ITEM NO. 3: **EXECUTIVE/PRESIDENT’S REPORT**

Fire Chief Robert Benoit was recognized and stated that he had consulted with Property Insurance of Louisiana regarding shutting down fire trucks from time to time to reduce the cost of overtime. With Lafayette carrying a high fire rating of Class 2, this action would not affect the rating in a negative way. Benoit added that this process could start as early as tomorrow morning and the quality of service would remain the same.

Stanley then assured the Council that he would keep the Council informed of truck and station closures and of the overtime balance, as it gets closer to zero. Menard stated that he hoped the overtime would be used frugally. He offered the Chief a resolution letting him know how the Council feels about the overtime and stated he would not vote to give the Fire Department any additional overtime

(TAPE 1)(SIDE A)(195) AGENDA ITEM NO. 4: **COUNCIL ANNOUNCEMENTS**

No report was given.

ORDINANCES FOR FINAL ADOPTION

(TAPE 1)(SIDE A)(212) AGENDA ITEM NO. 5: O-018-2005 A Sixteenth Supplemental Ordinance amending and supplementing an ordinance (the “General Bond Ordinance”) adopted on April 8, 1986, to provide for the issuance of Public Improvement Sales Tax Refunding Bonds, Series 2005A (the “Bonds”), of the City of Lafayette, State of Louisiana (the “Issuer”), pursuant to the General Bond Ordinance; prescribing the form, fixing the details and providing for the rights of the owners thereof; providing for the payment of the principal of the Bonds and the application of the proceeds thereof to the advance refunding of certain bonds of the Issuer; accepting the offer to purchase of Morgan Keegan & Company, Inc., of New Orleans, Louisiana; approving the Official Statement prepared in connection with the issuance of the Bonds; and providing for other matters in connection therewith. *Item was deferred until further notice.*

(TAPE 1)(SIDE A)(216) AGENDA ITEM NO. 6: O-019-2005 An ordinance providing for the issuance and sale of Public Improvement Sales Tax Refunding Bonds, Series 2005B (the

“Bonds”), of the City of Lafayette, State of Louisiana (the “Issuer”); prescribing the form, fixing the details and providing for the rights of the owners thereof; providing for the payment of the principal of the Bonds and the application of the proceeds thereof to the advance refunding of certain bonds of the Issuer; accepting the offer to purchase of Morgan Keegan & Company, Inc., of New Orleans, Louisiana; approving the Official Statement prepared in connection with the issuance of the Bonds; and providing for other matters in connection therewith, motion to adopt as amended (amendment being to change “2005B” to “2005” throughout the ordinance, and to fill in the appropriate blanks) by Benjamin, seconded by Mouton, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Williams

ABSTAIN: None

Motion was unanimously approved.

Bond Counsel Jerry Osborne explained that the savings were high enough on the “B” bonds to merit the refunding while the “A” bonds (O-018-20050, in the current market, didn’t quite come up to the same level of savings. He then requested that the ordinance be amended from “2005B” to “2005” and to complete the bond ordinance in conformity with the bond purchase agreement that sets forth the interest rates and the maturities in the call provisions. He added that the bond delivery would be on March 21 & 22, 2005.

(TAPE 1)(SIDE A)(445) AGENDA ITEM NO. 7: O-020-2005 An ordinance of the Lafayette City-Parish Council providing for the acceptance for perpetual maintenance of a private road known as Nora Broussard Road located off the 700 Block of Espasie Road westward for a distance of approximately one half mile and in Council District 9, motion by Stevenson, seconded by Broussard.

Menard questioned why this ordinance was placed on the agenda since the road had been maintained for many years. Associate Public Works Director, Pat Logan, stated it might be for future improvements. Right now, the road is being maintained but hardsurfacing can not be done until a 50’ right of way is obtained. This ordinance would become null and void if the rights of way were not obtained. He requested deferral of this ordinance so as to have more time to research.

A motion to defer was offered by Stevenson, seconded by Broussard and the vote was as follows:

YEAS: Badeaux, Bourgeois, Benjamin, Broussard, Conque, Stevenson, Menard

NAYS: Mouton

ABSENT: Williams

ABSTAIN: None

Motion to defer was approved.

(TAPE 1)(SIDE A)(707) AGENDA ITEM NO. 8: O-021-2005 An ordinance of the Lafayette City-Parish Council amending the FY 04/05 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$1,463 from I-10 Frontage Roads-NE- (I-49-University) Project to Reserve – Streets, motion to adopt by Bourgeois, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Williams

ABSTAIN: None

Motion was unanimously approved.

(TAPE 1)(SIDE A)(727) AGENDA ITEM NO. 9: O-022-2005 An ordinance of the Lafayette City-Parish Council authorizing the execution of a contract with Louisiana Office of Youth Development for the provision by the Department of Parks and Recreation of a program of care and treatment for at-risk youth and amending the FY 04/05 operating budget of the Lafayette City-Parish Consolidated Government to accept and appropriate revenues from the grant, motion to adopt by Benjamin, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Williams

ABSTAIN: None

Motion was unanimously approved.

Greg Gautreaux, Athletic Programs Manager, explained that this is a grant of \$7,000 that will help with temporary salaries, supplies and transportation. This program works with children on probation. Matt Coussan, Therapeutic Coordinator, added that this program keeps track of the children for approximately 3 months and so far, there have been no repeat offenders. The program teaches them to interact with other people through recreation.

(TAPE 1)(SIDE B)(030) AGENDA ITEM NO. 10: O-023-2005 An ordinance of the Lafayette City-Parish Council authorizing an interconnection agreement between the Lafayette City-Parish Consolidated Government and Gulf South Pipeline Company, L.L.C. to enable the provision of natural gas to fuel the Hargis-Hebert Electric Generation Plant currently under construction, motion to adopt by Conque, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Williams

ABSTAIN: None

Motion was unanimously approved.

(TAPE 1)(SIDE B)(042) AGENDA ITEM NO. 11: O-024-2005 An ordinance of the Lafayette City-Parish Council amending the FY 04/05 Five Year Capital Improvements Program for the Department of Utilities, by changing the source of funds for the Ambassador Caffery Wastewater Treatment Plant appropriation of \$5,750,000; and by making other administrative changes in the program funding, motion to adopt by Stevenson, seconded by Broussard, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Williams

ABSTAIN: None

Motion was unanimously approved.

Huval stated this is part of the process to get the Ambassador Caffery Plant back in compliance with all of the administrative orders from EPA and DEQ.

(TAPE 1)(SIDE B)(069) AGENDA ITEM NO. 12: O-025-2005 An ordinance of the Lafayette City-Parish Council providing for the abandonment of a utility easement on Lot 1 of Brookwood – Willow, LLC, having a municipal address of 2130 West Willow Street, motion to adopt by Stevenson, seconded by Broussard, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Williams

ABSTAIN: None

Motion was unanimously approved.

ANNOUNCEMENT OF VACANCY ON BOARDS/COMMISSIONS

(TAPE 1)(SIDE B)(077) AGENDA ITEM NO. 13: Due to a term expiration, a vacancy will exist on the Emergency Medical Services Advisory Board for a four year term effective February 18, 2005.

Individuals wishing to submit a resume for this volunteer vacancy must be registered voter and resident of Lafayette Parish. Resumes are to be forwarded to Norma A. Dugas, Clerk of the Council, P.O. Box 4017-C, Lafayette, LA 70502 no later than noon, Monday, February 14 with Council appointment to be made on February 15, 2005.

CONSIDER APPOINTMENTS BY THE COUNCIL, AS A WHOLE, TO FOLLOWING BOARDS/COMMISSIONS

(TAPE 1)(SIDE B)(086) AGENDA ITEM NO. 14: Appointment for Alternate #1 of Marvin Musgrove to the Board of Zoning Adjustment for a three year term effective January 5, 2005. (must reside within the corporate limits of the City of Lafayette).

Councilmember Stevenson nominated Marvin Musgrove. There being no further nominations, the Chair called for the vote as follows:

YEAS: Badeaux, Bourgeois, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Williams

ABSTAIN: None

Motion was unanimously approved to appoint Marvin Musgrove.

INTRODUCTORY ORDINANCES - ZONING

(TAPE 1)(SIDE B)(102) AGENDA ITEM NOS. 15 - 26: A motion was offered by Mouton, seconded by Badeaux, to introduce the following ordinances, in-globo, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Benjamin, Broussard, Conque, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Williams

ABSTAIN: None

Motion was unanimously approved.

15. O-026-2005 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance and the official map of the City of Lafayette, providing for the annexation of additional land into the corporate limits of the City of Lafayette, Louisiana, Case No. ZON-2004-029 Ghassemi Property Annexation, located generally at the southeast corner of the intersection of Ambassador Caffery Parkway and Guilbeau Road, which is located within Lafayette City-Parish Council District No. 6 for voting purposes, and assigning a zoning classification of B-G (General Business).
16. O-027-2005 An ordinance of the Lafayette City-Parish Council amending the Comprehensive Zoning Ordinance so as to reclassify the property of Just Four Properties Partners, LLC, Case No. ZON2005-001 Just Four Properties Partners, LLC – Eraste Landry Road Property Rezoning, located generally north of Eraste Landry Road and located between Galbert Road and North Luke Drive, from R-2 (Multi-Family Residential) to B-G (General Business).

INTRODUCTORY ORDINANCES

17. O-029-2005 An ordinance of the Lafayette City-Parish Council enacting Chapter 86, Section 86-34 of the Lafayette City-Parish Consolidated Government Code of Ordinances relative to police barricades, proscribing certain conduct and prescribing penalties for the violations thereof.
18. O-030-2005 An ordinance of the Lafayette City-Parish Council amending the FY 04/05 operating budget of the Lafayette City-Parish Consolidated Government to recognize donations of \$3,750.00 from the Wal-Mart Foundation to the Fire Department and assigning those funds to the proper budgetary account within the Fire Department.
19. O-031-2005 An ordinance of the Lafayette City-Parish Council amending the FY 04/05 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$5,000 from Reserve to RPL Air Compressor and Dryer within the Department of Public Works for additional funding needed.
20. O-032-2005 An ordinance of the Lafayette City-Parish Council amending the FY 04/05 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$343,055 from Reserve – W. Butcher/N. University Turn Lanes to W. Butcher/N. University Turn Lanes Project within the Department of Public Works for additional funding needed.
21. O-033-2005 An ordinance of the Lafayette City-Parish Council amending the FY 04/05 operating budget of the Lafayette City-Parish Consolidated Government by increasing Miscellaneous Revenues \$118,500 and appropriating same to CIDC-Hewitt Brooks Bernard Property Renovations Project as required by court settlement within the Department of Public Works for additional funding needed.
22. O-034-2005 An ordinance of the Lafayette City-Parish Council authorizing and approving a change in the fare structure of the Lafayette Transit System to identify fares for Night Owl Transit Service.
23. O-035-2005 An ordinance of the Lafayette City-Parish Council declaring the utility installations and relocations for Verot School Road Widening Project (Vincent Road to Pinhook Road) a public necessity and authorizing the acquisition of the necessary rights-

of-way and other property rights requisite to the construction, operation, and/or maintenance of said project, either on an amicable basis or through the expropriation process, if necessary.

24. O-036-2005 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to execute an Act of Cash Sale whereby the Lafayette City-Parish Consolidated Government will purchase certain real estate located on Bienville Street, Lafayette, Louisiana from Michael E. Boustany, Antoine F. Boustany, Sr., Inez Boustany Karre', Charles W. Boustany, Mariam Boustany Buttross, Carolyn Buttross Booth, Joann Buttross Kaminski, Yvonne Buttross Haydell, Joseph David Buttross, Jr., Edward Anthony Buttross, Sr., and Paula Jean Buttross Dupont for utilization by the Department of Community Development, Housing Division.
25. O-037-2005 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to execute an Act of Cash Sale whereby the Lafayette City-Parish Consolidated Government will purchase certain real estate located on W. Simcoe Street, Lafayette, Louisiana, from Lafayette Catholic Service Centers, Inc. for utilization by the Department of Community Development, Housing Division.
26. O-038-2005 An ordinance of the Lafayette City-Parish Council providing for the abandonment of a utility niche and a portion of drainage easement and the granting of a utility niche and a drainage easement on Lot 89 in Phase IV of Amy Estates, having a municipal address of 213 Concerto Crest Avenue.

(TAPE 1)(SIDE B)(180) AGENDA ITEM NO. 27: Comments from the public concerning the above Introductory Ordinances. *No comments were made.*

ADJOURN

(TAPE 1)(SIDE B)(183) There being no further business to come before the Council, Chair Menard declared the Regular Council Meeting adjourned.

NORMA A. DUGAS, CLERK
LAFAYETTE CITY-PARISH COUNCIL